

CITY OF MENASHA

Council Chambers, 3rd Floor- 140 Main St., Menasha

140 Main Street, Menasha

March 5, 2007

MINUTES

 [Back](#)  [Print](#)

I. CALL TO ORDER

A. [Call to Order](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
	Meeting called to order by Mayor Laux at 8:04 p.m.			

II. PLEDGE OF ALLEGIANCE

A. [Pledge of Allegiance](#)

Item Action:
None

III. ROLL CALL/EXCUSED ABSENCES

A. [Roll Call](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
	Present: Ald. Hendricks, Eckstein, Michalkiewicz, Chase, Merkes, Wisneski, Pack			
	Comments			
	Excused: Ald. Taylor			
	Comments			
	Dept. Heads Excused: PHD Nett.			

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. [Common Council, 2/19/07](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Common Council Minutes, 2/19/07	Alderman Michalkiewicz	Alderman Eckstein	Passed
	Motion carried on voice vote.			

Minutes to receive:

B.	Safety Committee, 12/19/07	Item Action: Approved
C.	Water & Light Commission, 2/12/07; Closed Session	Item Action: Approved
D.	N-M Fire Rescue, Finance & Personnel Committee, 2/27/07	Item Action: Approved
E.	Public Hearings, 2/19/07; Special Use Permits- 313 Appleton St. & 1700 Appleton Rd.	Item Action: Approved
F.	Library Board, 2/20/07	Item Action: Approved
G.	Parks & Recreation Board, 2/12/07	Item Action: Approved
H.	Redevelopment Authority, 2/28/07	Item Action: Approved
I.	Administration Committee, 2/19/07	Item Action: Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	To receive Minutes B-L. Motion carried on voice vote.	Alderman Michalkiewicz	Alderman Eckstein	Passed

J.	Board of Public Works, 2/19/07	Item Action: Approved
K.	Personnel Committee, 2/19/07	Item Action: Approved
L.	Information Technology Steering Committee, 1/15/07	Item Action: Approved

Communications:

1.

[League of WI Municipalities; Legislative Bulletin-2/23/07, League Letter-2/2/07](#)

Item Action:
Approved 2.

[Calumet County Legislative Committee minutes, 2/9/07](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	To receive Communications 1-9. Motion carried on voice vote.	Alderman Michalkiewicz	Alderman Eckstein	Passed

3.

[MHS Principal Larry Haase to PC Stanke, 2/19/07; Polar Plunge thank you](#)

Item Action:

Approved 4.

[Menasha Utilities, Feb. 2007 Water Treatment Plant Modifications Construction Report](#)

Item Action:

Approved 5.

[Mayor Laux, 2/26/07; Firework Request for Proposal information](#)

Item Action:

Approved 6.

[DPW Radtke, 2/28/07; Remote Operations for Tayco St. & Racien St. lift bridges](#)

Item Action:

Approved 7.

[Pierce Manufacturing to FC VanderWyst, 2/23/07; Job well done](#)

Item Action:

Approved 8.

[Menasha Utilities, 2/27/07; The Wire Newsletter](#)

Item Action:

Approved 9.

[CDD Keil, 3/1/07; WI Chapter of the American Planning Association Annual Conference](#)

Item Action:

Approved

V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

A.

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
-------------	-------------------------	---------	-------------	---------------

Jim Bartz, Chairman of Heckrodt Wetland Reserve Board. The HWR Board supports O-6-07, Annexation of Heckrodt Wetland Reserve.

VI. APPOINTMENTS

- A.** [Mayor's Appointment to the Landmarks Commission:
1. Mary Nebel, 713 First St., for the term of March 1, 2007 to March 1, 2010](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
-------------	-------------	---------	-------------	---------------

approve	Appointment of Mary Nebel to Landmarks Commission	Alderman Merkes	Alderman Eckstein	Passed
---------	---	-----------------	-------------------	--------

Motion carried on voice vote.

VII. CLAIMS AGAINST THE CITY

A. [None](#)

Item Action:
None

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

A. [None](#)

Item Action:
None

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. **Plan Commission:**

1.

[None](#)

Item Action:

None

B. **Administration Committee:**

1.

[Accounts payable and payroll for the period of 2-22-07 to 3-1-07 for the amount of \\$889, 660.73](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Accounts payable and payroll	Alderman Eckstein	Alderman Chase	Passed

Motion carried on roll call 7-0.

2.

[Selection of Proposal and Award of Auditing Services Contract for fiscal years ending December 31, 2006, 2007, 2008](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Selection of Proposal and Award of Auditing Services Contract to Schenck Government & Not-For-Profit Solutions.	Alderman Eckstein	Alderman Michalkiewicz	Passed

Motion carried on roll call 7-0.

3.

[Preparedness Pandemic Influenza Contract Agreement between Division of Public Health of the Dept. of Health and Family Services and the Menasha Health Dept. for the term of Sept. 1, 2006 to August 31,](#)

[2007, and authorized signature](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Preparedness Pandemic Influenza Contract Agreement	Alderman Wisneski	Alderman Eckstein	Passed
Motion carried on roll call 7-0.				

4.

[Installation of buoys in the Menasha Channel for 2007](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Installation of buoys in the Menasha Channel for 2007 in the amount of \$2,650. Fund to come from Marina Account.	Alderman Eckstein	Alderman Chase	Passed
Motion carried on roll call 6-1. Ald. Michalkiewicz - no.				

5.

[Recommendation from Redevelopment Authority, Development Agreement between Gilbert Mill, LLC and PJC Group, LLC and the City of Menasha](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	To hold for 2 weeks	Alderman Eckstein	Alderman Wisneski	Passed

6.

[Recommendation from Utilities Commission, Steam Utility PILOT Payment between City of Menasha and Menasha Utilities](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Steam Utility PILOT Payment between City of Menasha and Menasha Utilities	Alderman Pack	Alderman Michalkiewicz	Passed
Motion carried on roll call 7-0.				

7.

[Consideration of Steam Plant Work-Out Plan \(Ald. Pack\)](#)

Item Action:

None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
-------------	-------------------------	---------	-------------	---------------

Acted on in Administration Committee - Referred to Utilities Commission.

C. Board of Public Works:

1.

[Change Order - Carl Bowers & Sons Construction Co., Natures Way; Contract Unit No. TIF 9 2006-07; ADD: \\$58,700.00 \(Change Order No. 1\)](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Change Order - Carl Bowers and Sons Construction Co., Natures Way.	Alderman Pack	Alderman Michalkiewicz	Passed

Motion carried on roll call 7-0.

2.

[Change Order - CD Smith Construction, Inc. Water Treatment Plant Modifications; Contract Unit No. M002-940266.02; ADD: \\$33,056.00 \(Change Order No. 5\)](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Change Order-CD Smith Construction, Water Treatment Plant Modifications.	Alderman Pack	Alderman Eckstein	Passed

Motion carried on roll call 7-0.

3.

[Payment - Carl Bowers & Sons Construction Co., Inc.; Province Terrace; Contract Unit No. TIF 9 2006-07; \\$148,462.81 \(Payment No. 2\)](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Payment - Carl Bowers & Sons Construction Co., Inc.; Province Terrace.	Alderman Pack	Alderman Eckstein	Passed

Motion carried on roll call 7-0.

4.

[Payment - Dorner, Inc.; Nature's Way; Contract Unit No. 2006-08; \\$5,574.21 \(Payment No. 4\)](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Payment-Dorner, Inc., Nature's Way.	Alderman Pack	Alderman Chase	Passed

Motion carried on roll call 7-0.

5.

[Payment - Vinton Construction Co.; River Street Relocation Roadway Construction; Contract Unit No. 2006-06; \\$16,820.16 \(Payment No. 6\)](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Payment-Vinton Construction Co., River Street Relocation Roadway Construction.	Alderman Pack	Alderman Eckstein	Passed

Motion carried on roll call 7-0.

6.

[Menasha Utilities - Recommendation to Award Water Plant Bids](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Menasha Utilities-Recommendation to Award Water Plant Bids, Control Panels to McM Systems, Inc for \$87,000 and Canal Circulation System and Landscaping to Argo Contracting for \$101,974.00	Alderman Pack	Alderman Wisneski	Passed

Motion carried on roll call 7-0.

7.

[Street Use Application - Memorial Day Parade; Monday, May 28, 2007; 8:00 AM to 10:30 AM; American Legion 33](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Street Use Application-Memorial Day Parade	Alderman Pack	Alderman Hendricks	Passed

Motion carried on roll call 7-0.

8.

[Change Order - Vinton Construction Co.; River Street Relocation Roadway Construction; Contract Unit No. 2006-06; Add: \\$9,295.00 \(Change Order No. 3\)](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Change Order-Vinton Construction Co., River Street Relocation Roadway Construction	Alderman Pack	Alderman Michalkiewicz	Passed
Motion carried on roll call 7-0.				

D. Personnel Committee:

1.

[Consideration of Nationwide FundGuard as a feature of the City of Menasha 457 Deferred Compensation Plan.](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Condideration of Nationwide FundGuard.	Alderman Michalkiewicz	Alderman Eckstein	Passed
Motion carried on roll call 6-1. Ald. Merkes - no.				

2.

[Consideration of Nationwide ProAccount as a feature of the City of Menasha 457 Deferred Compensation Plan.](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Consideration of Nationwide ProAccount.	Alderman Michalkiewicz	Alderman Eckstein	Passed
Motion carried on voice vote 6-1. Ald. Merkes - no.				

E. NEENAH-MENASHA FIRE RESCUE:

1.

[2/27/07, Recommends approval of the adoption of the International Fire Code, 2006 Edition](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
-------------	-------------	---------	-------------	---------------

approve	Adoption of the International Fire Code, 2006 Edition	Alderman Wisneski	Alderman Michalkiewicz	Passed
---------	--	----------------------	---------------------------	--------

Motion carried on voice vote.

X. ORDINANCES AND RESOLUTIONS

- A. [O-4-07 - An Ordinance Relating to Controlled Intersections \(Southfield and Deerhaven\)](#) **Item Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
adopt	O-4-07	Alderman Hendricks	Alderman Pack	Passed

Motion carried on roll call 5-2. Ald. Merkes, Wisneski, Pack, Hendricks, Chase - yes. Ald. Eckstein, Michalkiewicz - no.

Comments

Ald. Merkes noted for the record he supports this ordinance for the safety of pedestrian crossing at this intersection.

- B. [O-5-07 - An Ordinance Relating to Controlled Intersections \(First and Appleton\)](#) **Item Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
adopt	O-5-07	Alderman Hendricks	Alderman Pack	Passed

Motion carried on roll call 7-0.

- C. [O-6-07 - An Ordinance Relating to the Annexation of Certain Property to the City of Menasha, Wisconsin \(Heckrodt Annexation\)](#) **Item Action:**
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	To suspend the rules and take up O-6-07	Alderman Chase	Alderman Michalkiewicz	Failed

Motion failed on roll call 4-3. Requires a two-thirds vote to pass. Ald. Pack, Eckstein, Michalkiewicz, Chase - yes. Ald. Merkes, Wisneski, Hendricks - no.

- D. [R-7-07 - A Resolution Authorizing the Appeal of a Tax Exemption Granted to SCA Tissue North American, LLC](#) **Item Action:**
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
adopt	R-7-07	Alderman Eckstein	Alderman Pack	Passed

Motion carried on roll call 7-0.

XI. COUNCIL DIRECTIVES

- A. [CA/HRD Brandt - Gatehouse Property \(Ald. Hendricks\)](#) **Item Action:**
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

Atty. Koehler has drafted the required documents to remove the gatehouse from the condominium property. He will get required signatures from condominium association.

- B. [CA/HRD Brandt - Update on Heckrodt Annexation \(Ald. Chase\)](#) **Item Action:**
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
-------------	-------------------------	---------	-------------	---------------

The ordinance was introduced at this meeting, will be voted on at the March 19 meeting.

C. [CDD Keil - Update on 535 1st Street \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
-------------	-------------------------	---------	-------------	---------------

The check to purchase the property has been sent to Winnebago County. They will be sending us the Deed.

D. [CDD Keil - Update on 81 & 87 Racine St. \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
-------------	-------------------------	---------	-------------	---------------

The contract with Konicek Environmental Consulting has been signed. They will start work as soon as the frost is out of the ground.

E. [CDD Keil - Update on Grocery Store \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
-------------	-------------------------	---------	-------------	---------------

Nothing new to report.

F. [CDD Keil - Information on sign on corner of Konemac St. & Plank Rd. \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
-------------	-------------------------	---------	-------------	---------------

This refers to the portable sign in front of Badger Ice Cream. The owners have been sent a notice requiring this sign to be moved. The ordinance only allows for portable signs to be up for 30 days. This sign has been up since the end of last summer.

Comments

Comments

Next Agenda: Ald. Wisneski-Larsen Engineering Study. Ald. Chase-Update on residents' issues with Province Terrace. Ald. Hendricks-1) Status of Gatehouse property; 2) Status of theater project; 3) Temporary signs at mini storage units on Plank Road. Ald. Merkes-1) Payment to Miron Construction for work done at new fire station property; 2) Status of new fire station; 3) Status of Lake Park Villas Development; 4) Status of Province Terrace Rezoning Requirement.

G. [CDD Keil - Update on apartments on corner of Hwy 114 & Melissa St.\(Ald. Eckstein\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
-------------	-------------------------	---------	-------------	---------------

The building inspectors have checked out the property and see no housing or building code violations. The fire dept. does periodic inspections of apartment buildings. It should be suggested that new outside doors be installed.

H. [CDD Keil - Update on lighting at Stone Toad \(Ald. Chase\)](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
-------------	-------------	---------	-------------	---------------

Comments

The new lighting equipment has been ordered and should be installed by the end of the week.

XII. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

A. [None](#)

Item Action:

None

XIII. ADJOURNMENT

A. [Adjournment](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
-------------	-------------	---------	-------------	---------------

move

To adjourn at 8:40 p.m.

Alderman Pack

Alderman Wisneski

Passed

Motion carried on voice vote.

Comments

Comments

Comments

Respectfully submitted by Deborah A. Galeazzi City Clerk